



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

**APR 17 2018**

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

**URGENT LEGAL MATTER  
REQUIRES PROMPT RESPONSE**

Lawrence Rowley, Commissioner  
City of Brockton, Department of Public Works  
Brockton Advanced Water Reclamation Facility  
45 School Street  
Brockton, MA 02301

Justin Chicca, Project Manager  
Veolia Water Brockton AWRF  
45 School Street  
Brockton, MA 02301

Re: Clean Air Act Reporting Requirement

Dear Mr. Rowley and Mr. Chicca:

On February 28, 2018, Veolia Water North America – Northeast, LLC (“Veolia”), on behalf of the City of Brockton Department of Public Works (“Brockton”) sent the United States Environmental Protection Agency (“EPA”) a deviation report as required by 40 C.F.R. Part 62, Subpart LLL. The report for the Advanced Water Reclamation Facility (“AWRF”) covered the period from February through December 2017 and included a summary of the number of days when there were deviations of operating limits by month (see Table 1 of the report). However, the report did not include all the required information. According to 40 C.F.R. § 62.16030(d)(4) semi-annual deviation reports are required to include: 1) the calendar dates and times that the unit deviated from the emission limits, emission standards or operating limits requirements; 2) the averaged and recorded data for those dates; and 3) the duration and cause of each deviation.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require a company to submit such information to determine its compliance with the Act. Therefore, within 30 days of the date Veolia and Brockton receive this reporting requirement, Veolia and Brockton are required to provide all the information outlined below. Please provide the response in hard copy and an electronic spreadsheet format (preferably in Microsoft Excel format).

1. Provide the supporting data used to generate Table 1 of the AWRF semi-annual deviation report, including, but not limited to:
  - a. The calendar dates and times (e.g., twelve or three-hour periods, depending on the operating parameter) that the unit deviated from emission limits, emission standards or operating limits requirements;
  - b. The averaged and recorded data for those dates; and
  - c. The duration and cause of each deviation.
2. Provide the supporting data for any operating limit deviations that occurred at AWRF between January 1, 2018 and the last day of operation of the SSI unit. Be sure to include the information required by 40 C.F.R. § 62.16030(d)(4) in your response.

Be aware that if Veolia and Brockton do not provide the information required in this Reporting Requirement in a timely manner, EPA may order them to comply and may assess monetary penalties under Section 113 of the Clean Air Act. Federal law also establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emission data, are not properly the subject of such a claim. If no such claim accompanies the information when EPA receives it, EPA may make the information available to the public without further notice to you.

Provide the above-required information to:

Karen McGuire, Acting Director  
Office of Environmental Stewardship  
U.S. Environmental Protection Agency, Region I  
Mail Code OES04-2  
5 Post Office Square Suite 100  
Boston, Massachusetts, 02109-3912  
Attn: Steve Rapp

If you have any questions regarding this Reporting Requirement, please contact Steve Rapp at (617) 918-1551 or have your attorney call Tom Olivier at (617) 918-1737.

Sincerely,



Karen McGuire, Acting Director  
Office of Environmental Stewardship

cc: Dan DiSalvio, Mass DEP SERO